

REMARKS

Claims 1-50 were pending in this application when the present Office Action was mailed (March 24, 2005). Claims 1, 13, 20, 28, 35, and 43 have been amended to clarify aspects of these claims. Accordingly, claims 1-50 remain pending.

In the non-final Office Action mailed March 24, 2005, claims 1-50 were rejected. More specifically, the status of this application in light of the March 24 Office Action is as follows:

(A) Claims 1, 5, 7, 8, 10-14, and 16-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 975,953 to Hourwich ("Hourwich");

(B) Claims 1-5, 7-14, 16-22, 24-28, and 30-50 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,960,264 to Heinkel ("Heinkel");

(C) Claims 6, 15, 23, and 29 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention; and

(D) Claims 6, 15, 23, and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Heinkel.

The undersigned attorney wishes to thank the Examiner for engaging in a telephone interview on June 15, 2005 to discuss the present Office Action, the applied references (Hourwich and Heinkel), and the pending claims. The following remarks summarize and expand upon the results of the interview, and they also reflect the agreements reached between the undersigned attorney and the Examiner during the telephone interview. For example, the following remarks reflect the Examiner's acknowledgement that Hourwich and Heinkel cannot support a Section 102 rejection of independent claim 1 and claims depending therefrom.

A. Response to the Section 102 Rejection of Claims 1, 5, 7, 8, 10-14, and 16-19

Claims 1, 5, 7, 8, 10-14, and 16-19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hourwich. As stated above, the Examiner acknowledged during the June 15 telephone interview that Hourwich cannot support a Section 102 rejection of independent claim 1 because the applied reference fails to disclose several features of this claim including, but not limited to, an energy reservoir configured to provide energy to the carriage and receive energy from the carriage. Therefore, the Section 102 rejection of claim 1 should be withdrawn.

Claims 5, 7, 8, and 10-12 depend from base claim 1. As discussed above, claim 1 is allowable. Therefore claims 5, 7, 8, and 10-12 are allowable as depending from claim 1, and also because of the additional features of these dependent claims. Accordingly, the Section 102 rejection of claims 5, 7, 8, and 10-12 should be withdrawn.

During the June 15 telephone interview, the Examiner further agreed that amending claim 13 to clarify that the launch carriage directly engages at least one of a fuselage and a lifting surface of an unmanned aircraft during takeoff would distinguish the claim over the applied reference. Claim 13 has been so amended and, accordingly, the Section 102 rejection of claim 13 should be withdrawn.

Claims 14 and 16-19 depend from base claim 13. As discussed above, claim 13 is allowable. Therefore, claims 14 and 16-19 are allowable as depending from base claim 13, and also because of the additional features of these dependent claims. Accordingly the Section 102 rejection of claims 14 and 16-19 should be withdrawn.

B. Response to the Section 102 Rejection of Claims 1-5, 7-14, 16-22, 24-28, and 30-50

Claims 1-5, 7-14, 16-22, 24-28, and 30-50 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Heinkel. As stated above, the Examiner acknowledged during the June 15 telephone interview that Heinkel cannot support a Section 102 rejection of independent claim 1. Therefore, the rejection of this claim should be withdrawn.

Claims 2-5 and 7-12 depend from base claim 1. As discussed above, claim 1 is allowable. Therefore, claims 2-5 and 7-12 are allowable as depending from claim 1, and also because of the additional features of these dependent claims. Accordingly, the Section 102 rejection of claims 2-5 and 7-12 should be withdrawn.

The Examiner also indicated during the June 15 telephone interview that Heinkel cannot support a Section 102 rejection of amended claim 13. Therefore, the rejection of this claim should be withdrawn. Claims 14 and 16-19 depend from base claim 13. Therefore, claims 14 and 16-19 are allowable as depending from claim 13, and also because of the additional features of these dependent claims. Accordingly, the Section 102 rejection of claims 14 and 16-19 should be withdrawn.

Independent claims 20 and 43 have been amended in a manner generally similar to that described above with reference to claim 13. Accordingly, the Section 102 rejections of these independent claims should be withdrawn. Claims 21 and 24-27 depend from base claim 20, and claims 44-47 depend from base claim 43. Accordingly, the Section 102 rejections of these dependent claims should be withdrawn for the foregoing reasons, and for the additional features of these dependent claims.

Independent claims 28, 35, 40, and 48 include several features generally similar to claim 1 (e.g., an energy reservoir configured to provide energy to the launch carriage during acceleration of the launch carriage and receive energy from the launch carriage during deceleration of the launch carriage). Accordingly, these claims are allowable over Heinkel for the reasons discussed above with respect to claim 1, and for the additional features of these independent claims. Furthermore, during the June 15 telephone interview the Examiner agreed that Heinkel cannot support a rejection of these claims. Therefore, the Section 102 rejection of claims 28, 35, 40, and 48 should be withdrawn.

Claims 30-34 depend from base claim 28, claims 36-39 depend from base claim 35, claims 41 and 42 depend from base claim 40, and claims 49 and 50 depend from base claim 48. Accordingly, Heinkel cannot support a Section 102 rejection of claims 30-34, 36-39, 41, 42, 49, and 50 for at least the reason that this reference

cannot support a Section 102 rejection of corresponding base claims 28, 35, 40, and 48, and for the additional features of these dependent claims. Therefore, the Section 102 rejection of claims 30-34, 36-39, 41, 42, 49, and 50 should be withdrawn.

C. Response to the Section 112 Rejection of Claims 6, 15, 23, and 29

Claims 6, 15, 23, and 29 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Office Action asserts that "[a]pplicant has claimed a launching system and in the above claims presents a recovery line that is not properly correlated to the claimed launching system." (Office Action, p. 3.) During the June 15 telephone interview, the Examiner acknowledged that if the preamble of claim 1 (from which claim 6 depends) was amended to clarify that the claimed features are directed to an apparatus for "handling" unmanned aircraft, the Section 112 rejection would be withdrawn. Claim 1 has been so amended and, accordingly, the Section 112 rejection of claim 6 should be withdrawn.

Independent claims 13, 20, 28, and 35 have been amended in a manner generally similar to that described above with reference to claim 1. Claim 15 depends from base claim 13, claim 23 depends from base claim 20, and claim 29 depends from base claim 28. Accordingly, the Section 112 rejections of claims 15, 23, and 29 should be withdrawn for at least the reasons discussed above with reference to claim 6.

D. Response to the Section 103 Rejection of Claims 6, 15, 23, and 29

Claims 6, 15, 23, and 29 stand rejected under 35 U.S.C. § 103 as being unpatentable over Heinkel. Claim 6 depends from base claim 1, claim 15 depends from base claim 13, claim 23 depends from base claim 20, and claim 29 depends from base claim 28. As discussed above, the Examiner acknowledged during the June 15 telephone interview that Heinkel fails to disclose or suggest the features of base claims 1, 13, 20, and 28. Furthermore, it would not have been obvious to modify Heinkel to include the features of claims 6, 15, 23, or 29. Accordingly, dependent claims 6, 15, 23, and 29 are allowable over Heinkel for at least the reason that this reference fails to teach or suggest the features of claims 1, 13, 20, and 28, and the


additional features of dependent claims 6, 15, 23, and 29. Therefore, the Section 103 rejection of claims 6, 15, 23, and 29 should be withdrawn.

Conclusion

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The applicants respectfully request reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3982.

Respectfully submitted,
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